City of Grand Island

Tuesday, June 26, 2007
Council Session

Item F4

#9124 - Consideration of Vacation of a Portion of Midaro Drive (East of 610 Midaro Drive)

Staff Contact: Steve Riehle, City Engineer/Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: June 26, 2007

Subject: Consideration of Vacation of a Portion of Midaro Drive;
                    East of 610 Midaro Drive in Firethorne Subdivision

Item #'s: F-4

Presenter(s):   Steven P. Riehle, City Engineer/Public Works Director

Background

Council action is required for vacation of a public street through the passing of an ordinance. The abutting property owners have requested that the eastern approximately 250 feet of Midaro Drive be vacated.

Discussion

The development plan for the property called for Midaro Drive to circle the lake. The lake is being pumped differently then originally planned. The pumping plan is leaving sufficient room for a road to circle the lake in a different location. The above section of Midaro Drive is no longer needed. A cul-de-sac can be built and the above piece of Midaro Drive can be vacated.

The north half of the vacated street right-of-way will revert to the property owner to the north and the south half will revert to the property owner to the south.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1.   Move to approve
2.   Refer the issue to a Committee
3.   Postpone the issue to future date
4.   Take no action on the issue

Recommendation

City Administration recommends that the Council approve the vacation of a portion of Midaro Drive; East of 610 Midaro Drive in Firethorne Subdivision.

Sample Motion

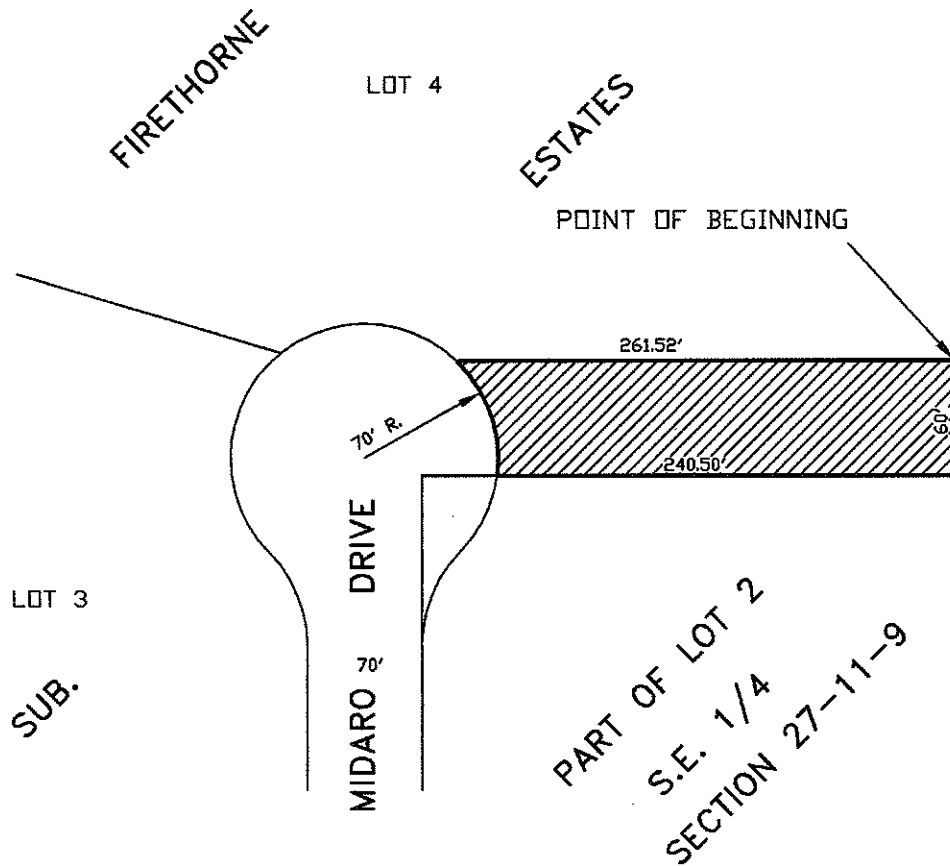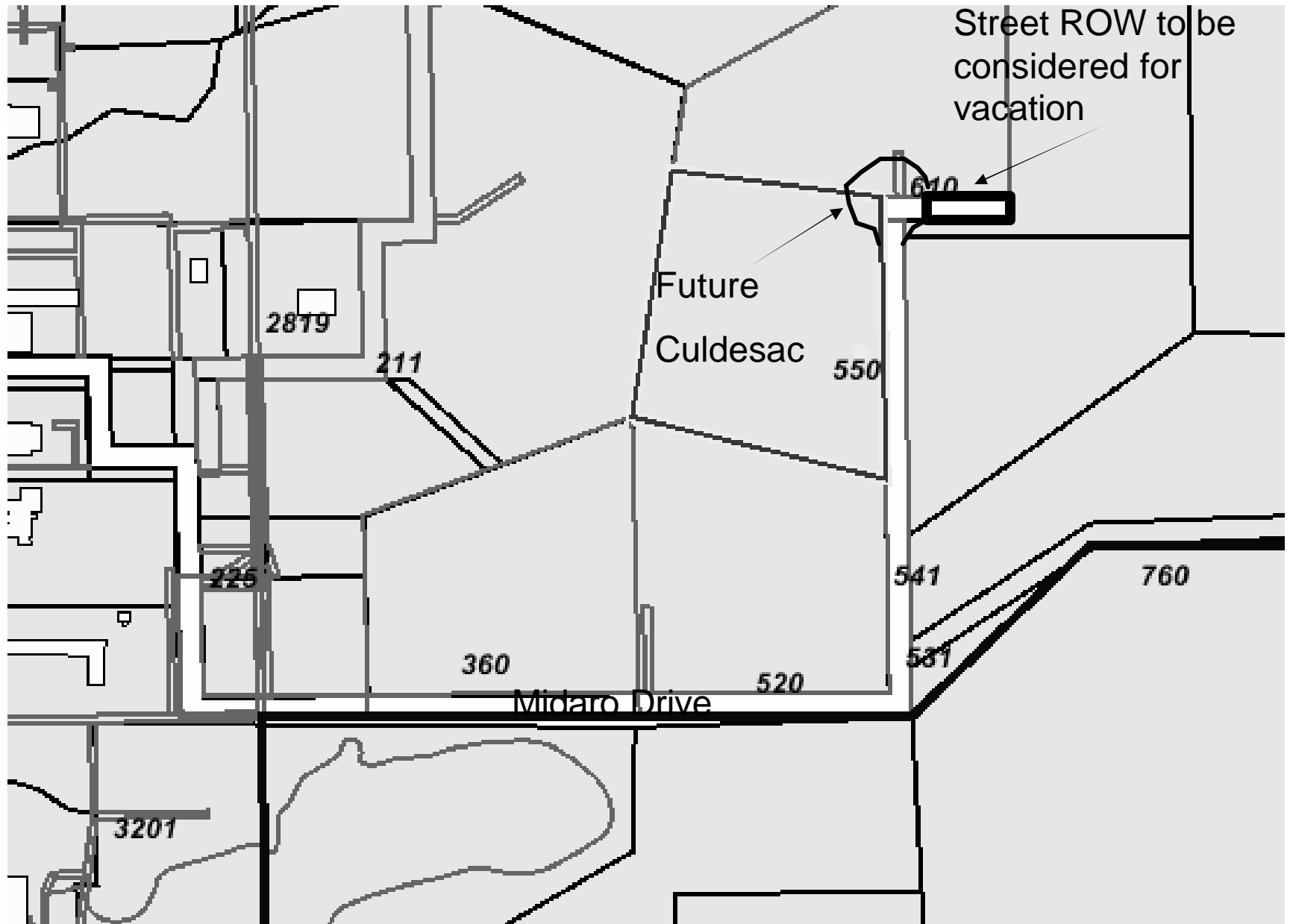Motion to approve the vacation of a portion of Midaro Drive; East of 610 Midaro Drive in Firethorne Subdivision.

FIRETHORNE   LOT 4   ESTATES

POINT OF BEGINNING

261.52'

70' R.

240.50'

60'

LOT 3

MIDARO   DRIVE

70'

SUB.

PART OF LOT 2
S.E. 1/4
SECTION 27-11-9

EXHIBIT "A"

Street ROW to be considered for vacation

610

Future

Culdesac

550

2879

211

541

760

225

360

520

581

Midaro Drive

3201

Street ROW to be considered for vacation

Future

Culdesac

Midaro Drive

ORDINANCE NO. 9124

An ordinance to vacate a portion of an existing right of way and to provide for filing this ordinance in the office of the Register of Deeds of Hall County; and to provide for publication and the effective date of this ordinance.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA:

SECTION 1. That a portion of an existing right of way of Midaro Drive, more particularly described as follows:

> Beginning at the Southeast Corner of Lot Four (4), Firethorne Estates Subdivision, thence South Line on a Prolongation of the East Line of Lot Four (4) Firethorne Estates Subdivision for a distance of Sixty Feet (60') to the Southeast Corner of Firethorne Estates Subdivision; thence Westerly on the South Line of Firethorne Estates Subdivision for a distance of Two Hundred Forty and Fifty One Hundredths Feet (240.50'); thence Northwesterly on an arc with a radius of Seventy Feet (70') to a point on the South Line of Lot Four (4), Firethorne Estate Subdivision; thence East on the South Line of Lot Four (4), Firethorn Estates Subdivision, for a distance of Two Hundred Sixty One and Fifty Two Hundredths Feet (261.52'), to the Point of Beginning

is hereby vacated. Such right-of-way to be vacated is shown and more particularly described on Exhibit A attached hereto.

Approved as to Form ¤ _____
June 21, 2007   ¤ City Attorney

SECTION 2.   The title to the property vacated by Section 1 of this Ordinance shall revert to the City as owner of the real estate abutting the alley.

SECTION 3.   This ordinance is directed to be filed in the office of the Register of Deeds of Hall County, Nebraska.

SECTION 4. This ordinance shall be in force and take effect from and after its passage and publication, without the plat, within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: June 26, 2007.

_____
Margaret Hornady, Mayor

Attest:

_____
RaNae Edwards, City Clerk